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Minutes of Meeting
The Commission of Fine Arts
9 June 1955

The second session of the meeting of the Commission of Fine Arts was held in its offices in the Interior Department Building on Thursday, 9 June 1955. The following members were present:

David E. Finley, Chairman	Felix W. de Weldon
Wallace K. Harrison	Emily L. Muir
Douglas W. Orr	Elbert Peets

L.R. Wilson, Secretary

The members of the Commission of Fine Arts, with the exception of Mr. William G. Perry, assembled at the White House at 8:15 a.m. for an 8:30 a.m. appointment to pay their respects to the President. After the meeting they returned to room 7000 Interior Department Building to take up the regular order of business.

The meeting was called to order by the Chairman at 9:30 a.m.

Commission of Fine Art's Policy in relation to Battle Monuments

A memorandum written by Mr. Elbert Peets regarding the Commission of Fine Art's policy in relation to the design of battle monuments had been distributed to the members previously for review and discussion at today's meeting (Exhibit A). Mr. Peets read his memorandum and reviewed the principles outlined in it. A discussion ensued, but no formal action was deemed necessary. The members of the Commission thanked Mr. Peets for his thoughts, and said that his statements were helpful, and would lend assistance in arriving at future decisions regarding the approval of designs of artists, architects and sculptors that will come before the Commission of Fine Arts.

Policy with regard to selection of architects for building projects.

Replying to a question from the members regarding the Public Buildings Services' policy with regard to selecting architects, the Chairman explained that the Public Buildings Service tried to make contracts with architects located in the city or town where projects were to be located. In selecting the architect information supplied by a previously distributed questionnaire is used. The members questioned whether this was the best method to follow, since it might not assure the utilization of the best architects available. The members also considered the Public Buildings Service method of selecting architects for buildings in Washington often resulted in the Commission's having to accept inferior designs for important buildings. The designs submitted by the District Government were also generally lacking in merit.

It was further agreed that the District of Columbia Redevelopment Land Agency and the Public Buildings Service should be apprised of the Commission's interest in the design of the important buildings, both private and public, to be erected in the Southwest Redevelopment area. The Chairman said that he would discuss the matter with the officials concerned.

Postage Stamps, Advisory Committee on:

As a result of the previous day's discussion on postage stamps, the Commission decided to write to the President of the National Academy of Design, Mr. Lawrence Grant White, thanking him for creating the opportinity to discuss methods of improving postage stamp designs (exhibit B).

Constitution Avenue Bridge/Tunnel

The text of a letter addressed to the Director of the Bureau of the Budget, expressing the position of the Commission with regard to the Constitution Avenue Bridge/Tunnel, was studied by the members. After discussion and revision, the draft was approved and the letter was sent accordingly (Exhibit C).

Artists Equity Association's Recommendations

The Chairman read a letter to the President of the United States, from the Executive Director, Artists Equity Association, dated 8 April 1955. The letter enclosed a copy of a letter from the President of Artists Equity Association to Mrs. Charlotte Devree commending her for her article in Art News on governmental sculpture. The letter which was derogatory to the American Battle Monuments Commission and the Commission of Fine Arts was briefly discussed at the May meeting, but was held for further discussion.

The members decided that they would like to discuss the matter with the officials of Artist's Equity and asked the Chairman to invite the Executive Director of Artists' Equity Association to the September meeting of the Commission to present his ideas on the matter. This was done (Exhibit D).

Shipstead-Luce Act Submissions

S.L. 1739 - revised plans to remodel show front of Bassin's Restaurant at 1347 E Street, N.W. were reconsidered. The Commission rejected the plans, which were first submitted 11 April 1955, with the suggestion that their recommendations offered at the 13 April meeting be considered in revising the plans. The Secretary was directed to hold the case for further consultation with the architect, and, if unsuccessful, to disapprove the plans. This was done on 22 June 1955.

Legislation

S.J.Res. 69-84th Congress - a joint resolution to establish the Crazy Horse Memorial Commission to provide for the construction of a

permanent national memorial to the North American Indians, and for other purposes.

Under date of 11 May May 1955, a letter was received from the Chairman of the Senate Committee on Interior and Insular Affairs requesting the Commission of Fine Arts to study, and report on the above bill.

The members discussed the provisions of the bill and felt they could not endorse the enactment of this legislation in its present form. A report was sent accordingly (Exhibit E and E-1).

H.R.4841-84th Congress, a bill to authorize the Administrator of General Services to dispose of certain real property in the District of Columbia.

Under date of April 25, 1955, a letter was received from the Chairman of the House Committee on Public Works requesting the views of the Commission of Fine Arts on the above bill. The bill proposed to authorize the razing of the Civil Service Commission building (Old Patent Office building) for the purpose of erecting a parking garage. The Commission reaffirmed their disapproval of previous bills to dispose of the Civil Service building, and a report was sent accordingly (Exhibits F and F-1).

H.R. 4913-84th Congress, a bill to provide for the establishment of the National Arts Agency.

Under date of 17 May 1955, a letter was received from the Chief Clerk of the House Committee on Education and Labor requesting a report on the above bill. The Commission discussed the bill and recommended that the bill be disapproved. A report to this effect was made and sent to the Bureau of the Budget for clearance. (Exhibit G and G-1).

H.R. 5756-84th Congress, a bill to provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

The Commission had not been asked to report formally on this bill, but it was noted that the Commission had written to the Bureau of the Budget on 10 December 1954 endorsing the draft of the bill that was subsequently introduced. It was at the request of the Commission that Section 7 was included in the bill in order to avoid a conflict of duties of the Commission of Fine Arts and the new commission proposed in the bill (Exhibit H).

During the discussion, the Chairman said he would look into the matter of whether or not the Commission should be represented on the advisory commission proposed in the bill. The Chairman wrote a memorandum on the matter, and it is attached and made a part of these minutes. (Exhibit H-1). No further report was deemed necessary.

S. 1982-84th Congress, a bill to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

Under date of 2 June 1955, a letter was received from the Chairman of the Senate Committee on Public Works requesting the Commission's suggestions touching the merits of the above bill.

The Commission considered the bill and approved it. (Exhibit I and I-1).

H.R. 5040-84th Congress, a bill to establish a program of cultural interchange with foreign countries to meet the challenge of competitive coexistence with communism, to establish a Federal Advisory Commission to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, to provide awards of merit, and for other purposes.

During the Commission's meeting with the President, the progress of the above bill through Congress was noted briefly. There was discussion of the bill and a consideration of the type and extent of support the Commission was in a position to give. The Secretary reported that the bill is now in conference, having gone through the House and the Senate. The members expressed a desire to show their support of the bill by letter or phone to the State Department and the United States Information Agency. When the call was made, it was learned that the action on the legislation had progressed to such a point that assistance of the Fine Arts Commission was unnecessary. The Commission had not been asked formally to report on the bill. Exhibit J

H.J. Res. 207-84th Congress, a bill to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

There was some discussion by the Commission on this proposed bill, at the request of the Secretary as a matter of information in relation to the Old Georgetown Act. Since the Commission had not been requested to report on the bill, none was made.

Decoration of Public Buildings

After discussing the need for sculpture and painting in public buildings, it was suggested that the Fine Arts Commission initiate action to have a bill introduced in Congress to authorize appropriating a percentage of the cost of each building for the decoration of the building. This subject had been discussed at the 13 April meeting, when the Administrator of General Services Administration and the Commissioner of Public Buildings Service met with the Commission. It was recalled at that time that there was

thought to have been a regulation in the Public Buildings Service, previous to World War II, requiring a certain percentage of the cost of any building to be used for this purpose.

It was decided to carry the study of the problem further. In order to take some action toward having a new bill drafted to reinstate a similar practice, copies of the old law or regulation were to be secured, and future discussion held.

Board of Architectural Consultants for Georgetown

The members of the Commission welcomed the Board of Architectural Consultants for Georgetown. This was the first opportunity the newly appointed members of the Georgetown Board had occasion to meet with the members of the newly appointed Commission of Fine Arts. General discussion was held on the work of the Board in Georgetown, and the members of the Commission took the occasion to thank the members of the Board for their services.

The meeting adjourned at 1:00 p.m.

L.R. Wilson, Secretary

10 Feb 61

C O P Y

A STUDY OF COMMISSION OF FINE ARTS' POLICY IN RELATION TO BATTLE MONUMENTS

(Note to Members: This study is an experiment in developing policies with the help of briefs. The kind of thing illustrated in the last section, "4. Criteria," is the only part I think of as going to Mr. Harbeson--and possibly for publication if necessary to explain our reasons for doing things. E. Peets)

COPY

A STUDY OF COMMISSION OF TIME AND POLICY
IN RELATION TO BATTLE CASUALTIES

(Note to Members: This study is an experiment in developing policies with the help of briefs. The kind of thing illustrated in the last section, "No Overkill," is the only part I think of as going to Mr. Henderson--and possibly for publication if necessary to explain our reasons for doing things. E. Foote)

1. BACKGROUND FACTS

The law says: "Before any designs or materials for memorials are accepted by the (Battle Monument) Commission the same shall be approved by the Commission of Fine Arts." This in effect gives Commission of Fine Arts complete control over all aesthetic aspects of every "memorial." Indeed, it conveys greater power than it would be reasonable or practicable to exercise completely. As a result, the two commissions have in practice followed a procedure that does not place an unreasonable burden upon either.

First, Commission of Fine Arts has participated in the selection of the architects of each project, on the theory that if the architect is competent most details, including the selection of associated artists--that is, the sculptor and the designer of the battle maps--can safely be left to the architect, assisted by Battle Monuments Commission and its consultant. (The names of the associated artists have been submitted to Commission of Fine Arts but have not usually been questioned.)

Second, Commission of Fine Arts has reviewed, in considerable detail, the preliminary site plans and architectural designs. It has usually not reviewed critically, at any stage, the designs for the sculpture or the battle maps.

2. CRITIQUE OF PRESENT POLICY

It is true that almost all of the Battle Monuments Commission's program has been completed. Nevertheless, the Commission of Fine Arts as now constituted should re-examine the policies now in effect and should modify them if it finds that they can clearly be bettered. Such a study - and its practical results - will help the Commission in approaching other cases and will give the people with whom we deal a truer concept of the Commission's attitude toward its responsibilities.

The present procedure assumes that all good architects know the work of all good sculptors. An architect is more apt to know a few and a procedure that brought him into contact with other sculptors would benefit both. If the architect's choice is subject to review he will make the choice more thoughtfully and will more often consult with other architects, with museum directors, art critics and the like. The principle that the architect is the master-artist of the creative group is sound , but it should not be applied so rigidly as to eliminate conference and exchange of views.

The law requires the Commission to ask that the architect restudy his design if it seems in some way deficient. Why is it not equally a duty to ask the architect to select associate artists whose work the Commission can approve?

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The law requires the Commission to say that the architect really has designed it seems in some way deficient. Why is it not equally a duty to ask the architect to select associate artists whose work the Commission can approve?

The Commission has not made a critical evaluation of the Battle Monuments already built, but the photographs shown to the members at a recent meeting--mainly of the sculpture--did not seem to impress them, in most cases, as of high quality. At least one art journal has sharply criticised sculpture approved--directly or through confirmation of sculptors selected by others--by the Commission in the past.

So long as the Commission delegates its duty of approval, exercising only the very remote control of approving the selection of the architect who selects the sculptor--for so long will the Commission find itself approving dull and undistinguished art.

3. PROPOSED CHANGES IN POLICY

First, that the Commission take a firmer position with respect to the design of Battle Monuments.

Second, more consideration of the qualifications of the architects--such as to their experience in outdoor design, gardens and monuments.

Third, associate artists to be reviewed; if they are not acceptable, new names to be submitted by Battle Monuments Commission. (This policy supersedes that of accepting without review the names proposed by the project architects.)

Fourth, associate artists' studies to be submitted for review.

4. CRITERIA FOR THE DESIGN OF BATTLE MONUMENT SCULPTURE

Such sculpture should have the aesthetic qualities of all good sculpture. It should have vitality of proportion and composition; it should be harmonious with its material and have beauty of surface; it should be in good scale with its setting and well related to its site. (The preceding sentence might be omitted.)

Within this general criterion, sculpture in a cemetery is subject to special requirements and limitations. It is an environment in which all art must be simple and sincere. The sculpture should be a solace to the parents of Americans who have given their lives for their country and for peace and freedom in the world. The best consolation is the feeling that the Nation and its allies honor the fallen and will always care tenderly for the place where they lie. The sculpture, by its timeless significance and by the permanence of its materials, can give assurance to this feeling.

The qualities desired in Battle Monument sculpture may be further defined by noting certain things that should be avoided. The sculpture should not impress average visitors as inappropriate or in bad taste.

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The qualities desired in Battle Monument sculpture may be further defined by noting certain things that should be avoided. The sculpture should not impress average visitors as inappropriate or in bad taste.

It should not seem to them to be sensationally experimental in intention or to aim at dramatic novelty at the cost of appropriate significance. The sculptor should also avoid both hackneyed sentimentality and fanciful symbolism that requires interpretation by a guide.

The positive and negative recommendations offered here leave ample opportunities for art of originality and high quality. In basing these standards on the feelings of the people whose relatives are buried in the overseas cemeteries it is not intended to imply that most visitors prefers common place sculpture. Sensitive, sincere, personal and appropriate art is felt and enjoyed by all of us, whether or not we can express those qualities in words.

End

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End

C O P Y

The Commission of Fine Arts
7000 Interior Department Building
Washington 25, D. C.

June 20, 1955

Dear Mr. White:

The members of the Commission of Fine Arts were happy to have the opportunity to discuss the methods of bettering designs for U. S. Postage Stamps jointly with you and Mr. Kent and with Mr. Robertson and Mr. Fellers of the Post Office Department at our meeting on 8 June 1955.

The Secretary, Mr. Wilson, has informed me that he has sent you a transcript of the proceedings for your information and study. A copy has also been sent to the Post Office Department.

As decided at the meeting, we will be glad to transmit to the Post Office Department the list of qualified artists, which you and Mr. Kent offered to prepare to assist the Post Office Department and the Bureau of Engraving and Printing carry out their current stamp program. The members of the Commission are hopeful that the selection of outside designers will result in the improvement we all desire to achieve.

With kindest regards,

Sincerely yours,

David E. Finley
Chairman

Mr. Lawrence Grant White
President
National Academy of Design
1083 Fifth Avenue
New York 28, New York

Exhibit B

COPY

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7000 Interior Department Building
Washington 25, D. C.

June 20, 1955

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With kindest regards,

Sincerely yours,

David E. Finley
Chairman

Mr. Lawrence Grant White
President
National Academy of Design
109 Fifth Avenue
New York 25, New York

Exhibit B

9 June 1955

Dear Mr. Hughes:

At a meeting of the Commission of Fine Arts today, I told the members of our recent conversation with reference to the proposed bridge which has been authorized by the Congress, to be erected over the Potomac River between the Memorial Bridge and Theodore Roosevelt Island. I also told them that, in view of the controversy that has developed as regards the substitution of a tunnel for a bridge, your office hoped to find some solution that would be acceptable to the Commissioners of the District of Columbia, the National Capital Planning Commission, and the Commission of Fine Arts.

After giving careful consideration to the matter, the members of the Commission asked me to say that they are unalterably opposed to the erection of any bridge at the proposed site between the Lincoln Memorial and Theodore Roosevelt Island. They feel that such a bridge would seriously mar the beauty of these memorials which constitute an important part of the heritage of the American people and should not be sacrificed for the temporary amelioration of traffic conditions in Washington. The Commission reaffirmed the position previously taken that a tunnel should be built in the neighborhood of the Lincoln Memorial if no other site is available for a bridge. They would prefer, however, that neither a bridge nor a tunnel be built in the neighborhood of the Lincoln Memorial if some other site is available for a bridge.

Other sites are available, such as the one at Roache's Run which would have the advantage of diverting traffic from the Mall and the area surrounding the Lincoln Memorial. From the point of view of the Commission, this is of paramount importance in protecting the aesthetic values of the Mall and its monuments.

The Commission understands that the National Capital Planning Commission has recommended that a bridge be built at Roache's Run; and with this recommendation the members of the Commission of Fine Arts concur. They hope that existing legislation may be amended to provide for the immediate erection of a bridge at this site instead of the proposed bridge between the Memorial Bridge and Theodore Roosevelt Island.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Hon. Rowland R. Hughes, Director
Bureau of the Budget
Executive Office Building
Washington 25, D. C.

cc: Mr. H. T. Thompson
National Capital Parks

Exhibit C

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Other sites are available, such as the one at Rosslyn from which would have the advantage of diverting traffic from the Mall and the area surrounding the Lincoln Memorial. From the point of view of the Commission, this is of paramount importance in protecting the aesthetic values of the Mall and its monuments.

The Commission understands that the National Capital Planning Commission has recommended that a bridge be built at Rosslyn; and with this recommendation the members of the Commission of Fine Arts concur. They hope that existing legislation may be amended to provide for the immediate erection of a bridge at this site instead of the proposed bridge between the Memorial Bridge and Theodore Roosevelt Island.

For the Commission of Fine Arts:

Sincerely yours,

Hon. Rowland R. Hughes, Director
Bureau of the Budget
Executive Office Building
Washington 25, D. C.

David E. Finley
Chairman

cc: Mr. H. T. Thompson
National Capital Parks

C O P Y

June 22, 1955

Dear Mr. Rothschild:

At a meeting of the Commission of Fine Arts on June 9th, I read to the members your letter to the President dated April 8, 1955, in which you enclosed a copy of Mr. Richard A. Florsheim's letter to Mrs. Charlotte Devree with reference to her article on governmental sculpture in the April issue of Art News. In your letter to the President you expressed willingness to present some ideas you had formulated on this subject. The Commission of Fine Arts would be very glad to have you meet with us at our next meeting, which will be held on September 7, 1955, and to hear your views at that time. I hope you will advise the Secretary, Mr. Wilson, whether this will be a convenient time for you and, if not, perhaps you can come to the October meeting.

Sincerely yours,

David E. Finley
Chairman

Mr. Lincoln Rothschild
Executive Director
Artists Equity Association
13 East 67th Street
New York 21, New York

DEF/m

Exhibit D

COPY

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Sincerely yours,

David E. Finley
Chairman

Mr. Lincoln Rothschild
Executive Director
Artists Equity Association
13 East 67th Street
New York 21, New York

DEF/m

Exhibit D

84TH CONGRESS
1ST SESSION

S. J. RES. 69

IN THE SENATE OF THE UNITED STATES

MAY 4 (legislative day, MAY 2), 1955

Mr. MUNDT (for himself, Mr. THYE, Mr. LANGER, Mr. YOUNG, Mr. HUMPHREY, Mr. BARRETT, and Mr. O'MAHONEY) introduced the following joint resolution; which was read twice and referred to the Committee on Interior and Insular Affairs

JOINT RESOLUTION

To establish the Crazy Horse Memorial Commission to provide for the construction of a permanent national memorial to the North American Indians, and for other purposes.

Whereas it is fitting that there should be a permanent memorial in honor of the North American Indian, the original American; and

Whereas in 1948 Korczak Ziolkowski, a sculptor, donating his time, energy, and artistic skill, commenced work on a gigantic figure of the Indian leader, Crazy Horse, on Thunder Head Mountain, South Dakota: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known

as the Crazy Horse Memorial Commission (hereinafter referred to as "the Commission"), which shall--

(1) establish and maintain a memorial, of such design and size as the Commission deems proper, at the site of such figure of the Indian leader, Crazy Horse, at Thunder Head Mountain in the Black Hills of South Dakota;

(2) arrange for the completion of such figure of Crazy Horse in accordance with the dimensions, designs, and model of Korczak Ziolkowski, as part of such memorial;

(3) establish a museum as part of such memorial for the purpose of perpetuating North American Indian cultures;

(4) investigate and report to Congress as soon as practicable the feasibility and desirability of establishing a medical research center as part of such memorial, for the purpose of studying problems of particular interest to North American Indians; and

(5) investigate and report to Congress as soon as practicable the feasibility and desirability of making a charge for admission to such memorial, and devoting the revenues from such charges to the fostering of Indian culture at the memorial's museum, and to the repayment

to the United States of the original construction cost of the memorial.

SEC. 2. (a) The Commission shall be composed of eleven Commissioners, appointed by the President, who shall serve without compensation, but who may be reimbursed for expenses incurred by them in carrying out the duties of the Commission. The Commission shall elect from its members a Chairman and a Vice Chairman and such other officers as may be necessary. Vacancies occurring in the membership of the Commission shall be filled in the same manner as the original appointment. Six members of the Commission shall constitute a quorum.

(b) The Commission may also establish from its membership an executive committee to be composed of five Commissioners. Such committee shall exercise such powers and functions within the purview of this joint resolution as may be authorized by the Commission.

(c) The chief administrative officer of the Commission shall be a secretary who shall be appointed by the Chairman with the approval of the Commission. The Commission is authorized to pay such actual and necessary expenses as the secretary may incur in the performance of the duties of the office. Such salary and expenses shall be paid by the treasurer of the Commission upon presentation of vouchers by the

secretary thereof and then only when approved and undersigned by the Chairman of the Executive Committee.

SEC. 3. The Commission is authorized to—

(a) receive and take over without compensation therefor all property (real and personal), leases, contracts, rights, and moneys in the possession of the Crazy Horse Memorial Foundation;

(b) accept from any source, public or private, money or property to be used in carrying out the provisions of this joint resolution;

(c) make such expenditures for personal services and otherwise for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds appropriated or received as donations for such purpose; and

(d) exercise such additional powers and functions as may be necessary to carry out the purposes of this joint resolution.

SEC. 4. Not later than February 1 of each year, the Commission shall transmit to Congress a report of its activities and proceedings for the preceding year, including a complete statement of its receipts and expenditures.

SEC. 5. There is hereby authorized to be appropriated such sums, not in excess of $250,000, as may be necessary to carry out the provisions of this joint resolution.

84TH CONGRESS
1ST SESSION

S. J. RES. 69

JOINT RESOLUTION

To establish the Crazy Horse Memorial Commission to provide for the construction of a permanent national memorial to the North American Indians, and for other purposes.

By Mr. MUNDT, Mr. THYE, Mr. LANGER, Mr. YOUNG, Mr. HUMPHREY, Mr. BARRETT, and Mr. O'MAHONEY

MAY 4 (legislative day, MAY 2), 1955
Read twice and referred to the Committee on Interior and Insular Affairs

20 June 1955

Dear Senator Murray:

Your letter of 11 May 1955 requested the comments of the Commission of Fine Arts on S. J. Res. 69, a joint resolution "to establish the Crazy Horse Memorial Commission to provide for the construction of a permanent national memorial to the North American Indians, and for other purposes."

The Commission considered S. J. Res. 69 at a meeting held on 9 June 1955, and after careful study the members agreed that we cannot endorse the enactment of this legislation in its present form. The establishment of a museum and a medical center, as well as the matter of fiscal support for these two institutions are matters beyond the scope of the Commission of Fine Arts.

As regards the Crazy Horse Memorial itself, the former Chairman of the Commission, Mr. Gilmore D. Clarke, wrote Honorable Frances Case on 25 June 1947 as follows:

> "The Memorial proposed is so large that it would be of national interest, and would be of concern to the United States if the Government contributes all or part of the site. It would furthermore be one in which the entire profession of sculpture would be very much interested, and therefore it would seem to the Commission that every opportunity should be given to secure the best possible design. This would be assured through a competition, which could, of course, be limited. In addition to being a memorial to "Chief Crazy Horse" it would be a great American Monument to the Sioux Indians, and as such would be a distinct contribution to the art of this country."

The members of the Commission saw no reason to revise the previous decision that such a monument should be the work of a sculptor chosen on a nation-wide basis, if Federal funds are to be appropriated for it. They further agreed that the choice of an appropriate site for a Federal memorial to the North American Indian is a problem requiring further study and consideration.

Inasmuch as your committee has urgent need for this report, it has not been submitted as yet to the Bureau of the Budget for advice concerning

its relation to the program of the President. This information will be obtained, however, as soon as possible, and we shall advise your committee accordingly.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable James E. Murray
Chairman, Committee on
Interior and Insular Affairs
224 Senate Office Building
Washington 25, D. C.

- 2 -

THE COMMISSION OF FINE ARTS
WASHINGTON, D. C.
APR 27 1955
NOTED

84TH CONGRESS
1ST SESSION

H. R. 4841

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1955

Mr. MORRISON introduced the following bill; which was referred to the Committee on Public Works

A BILL

To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of the Civil Service Commission Building, formerly known as the Patent Office Building, and the site thereof located between Seventh and Ninth Streets and between F and G Streets Northwest, in the District of Columbia, in such manner, for such purposes, and upon such terms and conditions as the Administrator deems proper, and to execute such documents for the transfer of title in said property and take such other action as he deems necessary

or proper to dispose of such property pursuant to the provisions of this Act.

SEC. 2. It is the intent of the Congress in enacting this legislation to make available a site in the principal business section of the District of Columbia for the erection by private enterprise of a building to be used for the parking of motor vehicles off the street for the convenience of the business community and its patrons and customers. The Administrator is authorized to impose such restrictions in connection with the disposal of the property above described as will assure the use of the property for such purposes for a reasonable period of time.

SEC. 3. Such disposal may be effected, by sale or exchange, for cash or other real property. Any property received in exchange may be used in lieu of the building disposed of, or as the site for the construction of a building to be so used. Any monetary proceeds of such sale or exchange are hereby appropriated, and appropriation of such additional sums as may be necessary is hereby authorized, for the acquisition of a building or a site for a building, to replace the building as disposed of, and for the repair, alteration, or improvement of any building, or the construction of a new building, on any site presently owned or hereafter acquired by the United States, to replace the building so disposed of. If the Administrator determines it to be necessary

in the interest of economy or efficiency, such disposal may be effected on terms providing that possession of the property disposed of shall not be surrendered by the United States until the actual or expected date of occupancy of the building acquired or constructed to replace the building disposed of.

SEC. 4. Such disposal may be effected without regard to any provision of existing law for advertising if the Administrator shall determine that disposal in such manner will better protect the public interest and better accomplish the purposes of this Act.

SEC. 5. No proposed agreement with respect to the disposal of property herein authorized shall be executed unless it has been submitted, thirty days prior to its effective date, to the President of the Senate and to the Speaker of the House of Representatives for appropriate reference to committees.

84TH CONGRESS
1ST SESSION

H. R. 4841

A BILL

To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia.

By Mr. MORRISON

MARCH 10, 1955
Referred to the Committee on Public Works

84TH CONGRESS
1ST SESSION

H. R. 4687

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 1955

Mr. MORRISON introduced the following bill; which was referred to the Committee on Public Works

A BILL

To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of the Civil Service Commission Building, formerly known as the Patent Office Building, and the site thereof located between Seventh and Ninth Streets and between F and G Streets Northwest, in the District of Columbia, in such manner, and for such purposes, and upon such terms and conditions as the Administrator deems proper, and to execute such documents for the transfer of title in said property and take such other action as he deems necessary or proper to dispose of such property.

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84TH CONGRESS 1ST SESSION H. R. 4841

84TH CONGRESS
1ST SESSION

H. R. 4687

A BILL

To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia.

By Mr. MORRISON

MARCH 7, 1955
Referred to the Committee on Public Works

C O P Y

13 June 1955

Dear Congressman Buckley:

Your letter of 25 April 1955 requested the Commission of Fine Art's comments on H. R. 4841-84th Congress, a bill "To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia."

In a letter dated 18 March 1955, I forwarded the Commission's views in opposition to the enactment of H. R. 4687-84th Congress, a bill also authorizing the razing of the Civil Service Commission Building formerly known as the Old Patent Office Building. At a meeting on 9 June 1955, the members carefully reviewed H. R. 4687 and considered H. R. 4841; and they directed me to reaffirm their opposition to the provisions of this proposed legislation.

The Commission hopes that the Old Patent Office Building may be preserved and that the proposed legislation will not be enacted into law.

The Bureau of the Budget has advised us by telephone that there is no objection to the submission of this report to your committee.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable Charles A. Buckley, Chairman
Committee on Public Works
1304 New House Office Building
Washington 25, D. C.

Exhibit F-1

84th Congress
1st Session
H. R. 4687

COPY

Honorable Charles A. Buckley, Chairman
Committee on Public Works
1304 New Horse Office Building
Washington 25, D. C.

Dear Congressman Buckley:

Your letter of 25 April 1955 requested the Commission of Fine Arts's comments on H. R. 4841-84th Congress, a bill "To authorize the Administrator of General Services to dispose of certain real property in the District of Columbia."

In a letter dated 18 March 1955, I forwarded the Commission's views in opposition to the enactment of H. R. 1657-84th Congress, a bill also authorizing the razing of the Civil Service Commission Building formerly known as the Old Patent Office Building. At a meeting on 9 June 1955, the members carefully reviewed H. R. 4057 and considered H. R. 4841; and they directed me to reaffirm their opposition to the provisions of this proposed legislation.

The Commission hopes that the Old Patent Office Building may be preserved and that the proposed legislation will not be enacted into law.

The Bureau of the Budget has advised us by telephone that there is no objection to the submission of this report to your committee.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

H. R. 4057

Exhibit C-1

18 March 1955

Honorable Charles A. Buckley, Chairman
Committee on Public Works
1304 New House Office Building
Washington 25, D. C.

Dear Congressman Buckley:

The Commission of Fine Arts gave careful consideration to H. R. 4687, A Bill "to authorize the Administrator of General Services to dispose of certain real property in the District of Columbia," at a meeting on 15 March 1955.

The Commission could not give its approval to the destruction of an important historical and architectural monument such as the Old Patent Office. The building now fulfills a useful purpose. The members feel that this building, of which the distinguished American architect, Robert Mills, was architect in charge of construction, should be preserved, and that its destruction, as a result of action taken by the Federal Government, would have a discouraging effect on the movement for the preservation of architectural and historical monuments in this country in which the Federal Government has taken such an important part.

The Commission hopes that the Old Patent Office Building may be preserved and that the proposed legislation will not be enacted into law.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your Committee.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Exhibit F-3

84TH CONGRESS
1ST SESSION

H. R. 4913

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1955

Mr. BURDICK introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the establishment of the National Arts Agency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established a National Arts Agency within the executive branch of the Government, for the following purpose:

(1) To insure continuing esthetic freedom of expression to artists in all creative fields in the United States.

(2) To establish a system of annual honors for outstanding creative contributions to the cultural heritage of our country consonant with the principles on which this country is founded and with due regard for the recommenda-

Exhibit G

tions of the artists in the particular fields considered. The Director of the Agency will make recommendations to the President for such awards in any and all fields of artistic endeavor where accomplishments in the field warrant recognition and reward. He, with the direct approval of the President, will arrange for appropriate ceremonies and awards including the design and striking off of medals or other appropriate symbols to be presented. It will be a provision that each Senator and Representative may recommend one person in each field to be included for overall consideration for award each year.

(3) To establish an information bureau for the benefit of the people and the Government of the United States with special emphasis on the benefit of practitioners of the arts in this country. This bureau will make appropriate surveys, assemble pertinent data, publish special publications and do other related things so that those interested in the fields, particularly from the standpoint of earning a livelihood therefrom, may have reasonable questions answered. The bureau will list numbers and kinds of artists in all fields and organizations in art fields, both practicing and patronage groups, and assemble data on all municipal, county, and State arts programs. It will especially survey all Federal Government agencies to determine the extent of their current programs

for both fine and applied arts, the amount of moneys spent and the type of work coming from such expenditures.

(4) To establish a governmental Arts Bureau which will work with every department, agency, or part of the Federal Government with the objective of obtaining the services of the best artists in every field of endeavor for the works to be done. This agency will set professional standards of excellence for any Government-sponsored or commissioned work, review the work and approve any projects along with personnel to accomplish them, and will exercise surveillance in general over all activities for which moneys are spent in the field of arts. In this regard this Bureau will work closely with the Civil Service Commission and set standards and rates of pay for any artists working under civil-service rules, as well as establish the manner of treatment accorded professionals working in each field of the arts. This Bureau will also work with the Bureau of Standards on all items such as materials, devices, instruments, and any and all appurtenances and accouterments of the arts. This agency will be the final authority for the President on the matters pertaining to it and its authority will supersede any existing commission or other agency of the Government working with or in the arts or having to do with the arts.

In this Act "the arts" will be construed to include the

fine arts and the applied arts in every case and is meant in the broadest possible sense.

On enactment, an appropriation of $1,000,000 each year will be set aside for the first two years of operation to be considered as experimental years after which time a new budget will be called for by the Congress.

The Director, who shall be appointed by the President, shall be an artist of achievement in one of the major fine arts fields. He will receive a stipend of $25,000 per annum for his services and he will not accept public or private commissions or engagements in his artistic field during his time of office nor Government commission or engagement in his artistic field for one year after relinquishing that office.

Other personnel for the Agency will be obtained according to existing rules and regulations and paid at appropriate existing governmental rates.

All agencies will be required by Congress to cooperate with the establishment of this Agency.

84TH CONGRESS
1ST SESSION

H. R. 4913

A BILL

To provide for the establishment of the National Arts Agency.

By Mr. BURDICK

MARCH 15, 1955
Referred to the Committee on Education and Labor

June 20, 1955

Dear Congressman Barden:

Mr. Fred G. Hussey's letter of 17 May 1955 requested the Commission's comments on H.R. 4913, a bill "To provide for the establishment of a National Arts Agency."

The Commission considered H.R. 4913 at a meeting on 9 June 1955, and the members agreed that we cannot endorse enactment of this legislation. The Commission of Fine Arts and other existing agencies of the Government are already performing many of the functions proposed in H.R. 4913. Legislation has also been drafted and introduced during the present session of Congress to set up a Federal Advisory Commission on the Arts within the Department of Health, Education and Welfare in line with the President's program for cultural development which was developed in the State of the Union Speech in January. The Commission would prefer to defer comment on the establishment of a new Agency as outlined in H.R. 4913 until opportunity has been given to evaluate the results of this measure.

The Bureau of the Budget has advised us that there is no objection to the submission of this report.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable Graham A. Barden
Chairman
Committee on Education and Labor
429 Old House Office Building
Washington 25, D. C.

H. R. 4913

Exhibit G-1

June 26, 1957

Dear Congressman Barden:

Mr. Fred G. Nussey's letter of May 10, 1957 requested the Commission's comments on H.R. 4913, a bill "To provide for the establishment of a National Arts Agency."

The Commission considered H.R. 4913 at a meeting on 9 June 1957, and the members agreed that we cannot endorse enactment of this legislation. The Commission of Fine Arts and other existing agencies of the Government are already performing many of the functions proposed in H.R. 4913. Legislation has also been drafted and introduced during the present session of Congress to set up a Federal Advisory Commission on the Arts within the Department of Health, Education and Welfare in line with the President's program for cultural development which was developed in the State of the Union Speech in January. The Commission would prefer to defer comment on the establishment of a new Agency as outlined in H.R. 4913 until opportunity has been given to evaluate the results of this measure.

The Bureau of the Budget has advised us that there is no objection to the submission of this report.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable Graham A. Barden
Chairman
Committee on Education and Labor
429 Old House Office Building
Washington 25, D. C.

A BILL H.R. 4913

From the Washington Office of Congressman Farrington

RECEIVED
THE COMMISSION OF FINE ARTS
WASHINGTON, D. C.
APR 26 1955

NOTED

84TH CONGRESS
1ST SESSION

H. R. 5756

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1955

Mr. WAINWRIGHT introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares it to be the policy of the Congress in enacting this Act—

(a) that the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative;

(b) that the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is

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essential to the general welfare and the national interest; and

(c) that the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

SEC. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Commission on the Arts (hereinafter in this Act referred to as the "Commission"). The Commission shall be composed of twenty-one members appointed by the President, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the arts. Members of the Commission shall serve at the pleasure of the President. The Commission shall meet at the call of the Chairman or the Secretary of Health, Education, and Welfare (herein referred to as the "Secretary"), but not less often than twice each calendar year. The President shall from time to time designate a member of the Commission to be Chairman.

(b) The Commission shall have an executive Secretary who shall be appointed by the Secretary after consultation with the Commission. Within the limits of appropriations available therefor, the Secretary shall also provide the Com-

mission, its executive secretary, and members of its special committees, necessary secretarial, clerical, and other staff assistance.

SEC. 3. The Commission shall undertake studies of, and make recommendations relating to, appropriate methods, consistent with the policies set forth in section 1, for encouragement of creative activity in the performance and practice of the arts and of participation in and appreciation of the arts. Such studies shall be conducted by special committees of persons, expert in the field of art involved, appointed by the Secretary after consultation with the Commission. After considering reports on these studies, the Commission shall make recommendations in writing to the Secretary. In the selection of subjects to be studied and in the formulation of recommendations, the Commission may obtain the advice of any interested and qualified persons and organizations.

SEC. 4. Members of the Commission and members of special committees appointed pursuant to section 3, while attending meetings of the Commission or while engaged in the conduct of studies hereunder, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by

law (5 U. S. C. 734–2) for persons in the Government service employed intermittently.

SEC. 5. (a) Any member of the Commission or of a special committee, appointed under this Act, and any other person appointed, employed, or utilized in an advisory or consultative capacity under this Act is hereby exempted, with respect to such appointment, employment, or utilization, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, except as otherwise specified in subsection (b) of this section.

(b) (1) The exemption granted by subsection (a) of this section shall not extend to the following acts performed as an officer or employee of the United States by any person so appointed, employed, or utilized: (A) The negotiation or execution of, or (B) the making of any recommendation with respect to, or (C) the taking of any other action with respect to, any individual contract or other arrangement under this Act with the private employer of such person or any corporation, joint stock company, association, firm, partnership, or other business entity in the pecuniary profits or contracts of which such person has any direct or indirect interest.

(2) The exemption granted by subsection (a) of this section shall, during the period of such appointment, employment, or utilization and the further period of two years

after the termination thereof, not extend to the prosecution or participation in the prosecution, by any person so appointed, employed, or utilized, of any claim against the Government involving any individual contract or other arrangement entered into pursuant to this Act concerning which the appointee had any responsibility during the period of such appointment, employment, or utilization.

SEC. 6. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this Act, including expenses of professional, clerical, and stenographic assistance. Such appropriations shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).

SEC. 7. This Act shall not be deemed to invalidate any provision in any Act of Congress or Executive order vesting authority in the Commission of Fine Arts.

84TH CONGRESS
1ST SESSION

H. R. 5756

A BILL

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

By Mr. WAINWRIGHT

APRIL 20, 1955
Referred to the Committee on Education and Labor

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

MEMORANDUM

TO : Members, Commission of Fine Arts DATE: 22 June 1955

SUBJECT: Commission of Fine Arts representation on the proposed Federal Advisory Commission on the Arts (H. R. 5756-84th Congress)

You will recall that during our meeting on 9 June 1955, we discussed H. R. 5756, a bill "to provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes." At that time it was noted that the Commission had written to the Bureau of the Budget on 10 December 1954 endorsing the draft of the bill that was subsequently introduced. At our request Section 7 was included in the bill in order to avoid ambiguity regarding the independence of the Commission of Fine Arts in respect to the proposed Commission.

In the discussion at the meeting, however, the question arose as to whether the Commission of Fine Arts should be represented in the membership of the Advisory Commission on the Arts proposed in the bill, and I promised to look further into that problem and write you. As a result, I have been told by the Department of Health, Education and Welfare that such representation would not seem to them to be desirable since it might imply a duplication of functions between the Commission of Fine Arts and the Advisory Commission on the Arts, which we both are anxious to avoid.

It is also intended that the membership of the Advisory Commission will be made up of private individuals. As presidential appointees, and as members of the Commission of Fine Arts, which was established by Public Law, the members of the Commission of Fine Arts are accordingly not considered eligible to serve on the Advisory Commission.

Since we have not yet been asked formally to report on this legislation, no further report will be made at this time unless you so desire.

Sincerely yours,
Sgd. David E. Finley
Chairman

Dist. List:

Mr. de Weldon
Mr. Harrison
Mrs. Muir
Mr. Orr
Mr. Peets
Mr. Perry

85TH CONGRESS
1ST SESSION
H. R. 5756

COPY

THE COMMISSION OF FINE ARTS
7300 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

MEMORANDUM

TO : Members, Commission of Fine Arts DATE: 20 June 1955

SUBJECT: Commission of Fine Arts representation on the proposed Federal Advisory Commission on the Arts (H. R. 5756-84th Congress)

You will recall that during our meeting on 9 June 1955, we discussed H. R. 5756, a bill "to provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes." At that time it was noted that the Commission had written to the Bureau of the Budget on 10 December 1954 endorsing the draft of the bill that was subsequently introduced. At our request Section 7 was included in the bill in order to avoid ambiguity regarding the independence of the Commission of Fine Arts in respect to the proposed Commission.

In the discussion at the meeting, however, the question arose as to whether the Commission of Fine Arts should be represented in the membership of the Advisory Commission on the Arts proposed in the bill, and I promised to look further into that problem and write you. As a result, I have been told by the Department of Health, Education and Welfare that such representation would not seem to them to be desirable since it might imply a duplication of functions between the Commission of Fine Arts and the Advisory Commission on the Arts, which we both are anxious to avoid.

It is also intended that the membership of the Advisory Commission will be made up of private individuals. As presidential appointees, and as members of the Commission of Fine Arts, which was established by Public Law, the members of the Commission of Fine Arts are accordingly not considered eligible to serve on the Advisory Commission.

Since we have not yet been asked formally to report on this legislation, no further report will be made at this time unless you so desire.

Sincerely yours,

Sgd. David E. Finley

Chairman

Dist. List:

Mr. de Weldon
Mr. Harrison
Mrs. Muir
Mr. Orr
Mr. Teebe
Mr. Perry

Exhibit H-1

84TH CONGRESS
1ST SESSION

S. 1982

IN THE SENATE OF THE UNITED STATES

MAY 17 (legislative day, MAY 2), 1955

Mr. CHAVEZ introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Regents of the Smithsonian Institution are hereby authorized and directed to have prepared drawings and specifications for, and to construct, a suitable building for a museum of history and technology (with requisite equipment, approaches, architectural landscape treatment of the grounds, and connections with public utilities and the Federal heating system) for the use of the Smithsonian Institution, to be

Exhibit I

located on that part of reservation 3 which is bounded by Twelfth Street Northwest on the east, Fourteenth Street Northwest on the west, Constitution Avenue on the north, and Madison Drive on the south, title to which is in the United States.

SEC. 2. That the exact location of the building on the site shall be approved by the Natonal Capital Planning Commission, and the design shall be approved by the Commission of Fine Arts.

SEC. 3. That the preparation of said drawings and specifications, the design and erection of the building, and all work incidental thereto shall be under the supervision of the Administrator of the General Services Administration in accordance with provisions of the Public Buildings Act of May 25, 1926, as amended.

SEC. 4. That there is hereby established a Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution. It shall be the duty of the joint committee to advise with the Board of Regents of the Smithsonian Institution during the planning and construction of such building. The joint committee shall be composed of ten members as follows: Five Senators appointed by the President of the Senate, three of whom shall be the Senate members of the Board of Regents of the Smithsonian Institution; five Repre-

sentatives appointed by the Speaker of the House of Representatives, three of whom shall be the Representative members of the Board of Regents of the Smithsonian Institution. The joint committee shall from time to time, but at least once annually, submit to the Congress a report on the progress of the planning and construction of the building. Upon completion of the building, the joint committee will submit a final report. Thirty days after the submission of its final report, the joint committee shall cease to exist.

SEC. 5. That there are hereby authorized to be appropriated to the Regents of the Smithsonian Institution out of any money in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this Act: *Provided,* That appropriations for this purpose, except such part as may be necessary for the incidental expenses of the Regents of the Smithsonian Institution in connection with this project, shall be transferred to the General Services Administration for the performance of the work.

84TH CONGRESS
1ST SESSION

S. 1982

A BILL

To authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

By Mr. CHAVEZ

MAY 17 (legislative day, MAY 2), 1955
Read twice and referred to the Committee on Public Works

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

13 June 1955

Dear Senator Chavez:

Your letter of 2 June 1955 requested the comments of the Commission of Fine Arts on S. 1982-84th Congress, a bill "To authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto."

The Commission considered S. 1982 at a meeting on 9 June 1955, and the members have directed me to forward to your committee their approval of the previsions of the bill. They hope that this proposed legislation will be enacted into law so that plans may go forward without delay for the erection of a museum building for the use of the Smithsonian Institution in the Mall along Constitution Avenue, between 12th and 14th Streets, Northwest.

The Bureau of the Budget has advised us by telephone that there is no objection to the submission of this report.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable Dennis Chavez, Chairman
Committee on Public Works
412 Senate Office Building
Washington D. C.

Exhibit I-1

COPY

THE COMMISSION OF FINE ARTS
2000 NEW EXECUTIVE OFFICE BUILDING
WASHINGTON 25, D. C.

12 June 1957

Dear Senator Chavez:

Your letter of 2 June 1957 requested the comments of the Commission of Fine Arts on S. 1957-85th Congress, a bill "To authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto."

The Commission considered S. 1957 at a meeting on 9 June 1957, and the members have directed me to forward to your committee their approval of the provisions of the bill. They hope that this proposed legislation will be enacted into law so that plans may go forward without delay for the erection of a museum building for the use of the Smithsonian Institution in the Mall along Constitution Avenue, between 12th and 14th Streets, Northwest.

The Bureau of the Budget has advised us by telephone that there is no objection to the submission of this report.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

Honorable Dennis Chavez, Chairman
Committee on Public Works
412 Senate Office Building
Washington 25, D. C.

84TH CONGRESS
1ST SESSION

H. R. 5040

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1955

Mr. THOMPSON of New Jersey introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a program of cultural interchange with foreign countries to meet the challenge of competitive coexistence with communism, to establish a Federal Advisory Commismission to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, to provide awards of merit, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American National Arts Act".

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STATEMENT OF FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that the program of building armed strength should be widened into a more flexible and imaginative strategy for competitive coexistence with the Communists in every field and on every front. The Congress further finds that (1) the Communists have taken sports and culture and the impressionable years of youth and transformed them into arenas of the cold war; (2) the Russian athletes are not really amateurs, but are professionals trained under government guidance with government help, bonuses, and money prizes; (3) ballet, the theater, and literature are all shaped toward aiding communism's long-range scheme of world domination, and from Moscow there radiate troupes of athletes and artists, circulating through the Soviet world and the satellites, venturing into countries like Red China and India with their gospel of communism; (4) America is proud not only of its material achievements but also of its athletes and artists and its cultural achievements; (5) the whole global scene should be surveyed and plans developed for getting the peoples of the world on our side through maximum use of sports, the theater, and educational exchanges, and indeed no field should be neglected; and (6) it is through cultural interchange, more

than superhighways, science, and statistics, that the real answer to communism must be sought.

(b) The Congress, approving and endorsing the statements recently made by the President in support of the fine arts, further finds that (1) in the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities; (2) there is an important principle which we should ever keep in mind—the principle that freedom of the arts is a basic freedom, one of the pillars of liberty in our land; (3) there is no aspiration, no dream on the horizons of man's hopes and beliefs and faith, that is so strong and so vivid as the dream of lasting peace. There are many things that must be understood and many things that must be done if we are to make progress toward the realization of that dream, but there is one thing that educators cannot afford to forget, and that is this element of understanding as opposed to mere knowledge; (4) we must make the effort to understand something of the culture of other peoples; their history, their tribulations, and the trials through which they may have passed, for unless we understand these things we will never comprehend why our motives are so

often misunderstood; and (5) peace is not primarily in the hands of elected political leaders. It is in the hands of the family and the home, the church and the school.

(c) It is therefore declared to be the policy of the Congress and the purpose of this Act (1) to assist the several States in developing projects and programs in the fine arts in order to serve better the needs of the people of the United States, and to encourage the growth and development of the fine arts throughout the United States for the purpose of developing greater knowledge, understanding, and practice of the fine arts; (2) to establish a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, and to provide for awards of merit whereby we can honor our fellow citizens who make great contributions to the advancement of our civilization and of our country; (3) to facilitate the formulation of plans for the development of the fine arts in time of war, depression, or other national emergency, in order to prevent our cultural institutions from shrinking in importance or passing out of existence and to avoid the often deplorable standards exemplified by art projects of Federal agencies at such times in the past, and in order to offset

declining employment by providing for Federal assistance to States and local governments in projects for the construction, alteration, expansion, and repair of public facilities and for the development of cultural programs; (4) to integrate, coordinate, improve, and raise the standards of the fine arts programs which are presently being carried on in more than fifteen Federal departments and agencies; (5) to reaffirm our faith in fundamental human rights, and in the dignity and worth of the human person; to fortify and preserve the principles of democracy, personal freedom, and political liberty, the constitutional traditions, and the rule of law, which are our heritage; and to strengthen, with these aims in view, through cultural interchange, the social and cultural ties which unite us as a people and with the free nations of the world, with our allies, and with other States inspired by the same ideals and animated by a like determination to resist aggression; (6) to stimulate private, business, and foundation giving to the liberal and fine arts; (7) to protect and preserve our artistic and historic inheritance through the protection and restoration of historic monuments, houses, buildings, and sections of our cities; and (8) to destroy finally the Communist myth that Americans are insensitive, materialistic barbarians.

TITLE I—DEVELOPMENT OF FINE ARTS PROGRAMS AND PROJECTS INVOLVING THE INTERCHANGE OF PERFORMING ARTISTS WITH OTHER COUNTRIES

DECLARATION OF PURPOSE

SEC. 101. The purpose of this title is—

(1) to provide specific means for strengthening the social and cultural ties which unite us as a people and with the free nations of the world, with our allies, and with other nations inspired by the same ideals and animated by a like determination to resist aggression; and

(2) to authorize programs and projects on a basis of cooperation with peoples of other nations to demonstrate the social and cultural developments and achievements of the people of the United States and the people of such other nations for the purpose of promoting mutual understanding and respect.

INTERCHANGE OF PERFORMING ARTISTS

SEC. 102. (a) The Secretary of State is authorized to provide for the interchange between the United States and other countries of performing artists in the field of art, drama, music, and dance. In the development of projects and the selection of participants for purposes of this title, priority shall be given to professional and amateur presenta-

tions of high quality dramatic productions, musical comedies, operas, ballet productions, concert groups, and individual singers, dancers, and concert artists. Whenever possible, the selection of individuals and groups to participate in projects in any field of the fine arts shall be determined in consultation with groups of private citizens who are generally recognized by the public as being authoritative in that field. Special consideration should be given, particularly in the fields of music and drama, to the presentation abroad by American performers of works of American writers and composers.

(b) The United States Advisory Commission on Educational Exchange, created by section 601 of the United States Information and Educational Exchange Act of 1948 (22 U. S. C., sec. 1466), shall formulate and recommend policies and programs for carrying out this title.

(c) The United States Advisory Commission on Educational Exchange shall advise and consult with the Federal Advisory Commission on the Arts (created by section 210 of this Act) in carrying out the provisions of this title.

AUTHORIZATION OF APPROPRIATION

SEC. 103. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

ADMINISTRATIVE PROVISIONS

SEC. 104. The Secretary of State is hereby authorized to carry out the purposes of this title in accordance with the applicable provisions of the United States Information and Educational Echange Act of 1948.

UTILIZATION OF PRIVATE AGENCIES

SEC. 105. To the maximum extent feasible, private agencies shall be encouraged to participate in carrying out the purposes of this title, and funds appropriated hereunder shall be used to the maximum extent practicable in underwriting the costs of selected professional and amateur performances through normal commercial channels as may be developed for the purposes of this title.

TITLE II—GRANTS TO STATES FOR THE DEVELOPMENT OF FINE ARTS PROGRAMS AND PROJECTS

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is—

(1) to assist the several States to inventory their existing programs in the fine arts of music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts, to survey the need for additional programs in these arts, and to develop programs and projects for public and other nonprofit activities in the

fine arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities, and services in the fine arts to all their people;

(2) to assist in the construction of public and other nonprofit centers for music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts in accordance with such programs, and particularly to assist in the construction of such centers in communities where urban renewal or redevelopment projects have been undertaken by local public agencies as provided in title I of the Housing Act of 1949, as amended;

(3) to assist the several States to protect and preserve our artistic and historic inheritance through the protection and restoration of historic monuments, houses, buildings, and sections of our cities;

(4) to assist the several States in developing projects and programs designed to supply leadership, training, and experience in the field of fine arts; and

(5) to authorize the Secretary to conduct and make grants for the conduct of research, experiments, and demonstrations relating to the effective development and utilization of facilities and resources in the fields

of the fine arts, and to encourage the presentation in all parts of the country of productions and programs in every field of the fine arts.

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. In order to assist the States in carrying out the purpose of this title and the purpose of this Act, there are hereby authorized to be appropriated for the fiscal year 1955 and subsequent fiscal years such sums, not to exceed $5,500,000 for any one fiscal year, as may be necessary for the effective development of public and other nonprofit fine arts programs and projects.

STATE PLANS

SEC. 203. (a) Any State which desires to take advantage of the benefits of this title may submit a State plan for carrying out the purpose of this title. Such State plan must—

(1) designate the State department of education or a similar State agency selected by the Governor (hereinafter in this title referred to as the "State agency") as the sole agency for the administration, supervision, and control of the State plan;

(2) contain satisfactory evidence that the State agency will have authority to carry out such plan in accordance with this title;

(3) provide that the State treasurer (or, if there

is no State treasurer, the officer exercising similar functions for the State) be appointed as custodian of funds received under this title from the Federal Government and receive and provide for the proper custody of such funds;

(4) set forth the program, policies, and methods to be followed in carrying out the State plan and in its administration and supervision;

(5) contain adequate assurances that high standards will be maintained for the fine arts programs and projects assisted under this title;

(6) provide for such methods of administration as the Secretary deems necessary for the proper and efficient administration of the plan;

(7) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may find necessary to assure the correctness and verification of such reports;

(8) provide such rules, regulations, and standards with respect to expenditures of funds made available under this title as the Secretary may find reasonable and necessary; and

(9) provide that the State agency will from time to

time review its fine arts programs and projects and submit to the Secretary any modifications thereof which it considers appropriate.

(b) The Secretary shall approve any State plan and any modification thereof which he believes to be feasible and which complies with subsection (a).

(c) No changes in a State plan shall be required within two years after the initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in regulations prescribed by the Secretary, except with the consent of the State or in accordance with further action by the Congress.

(d) The State plan may include standards for determination of the Federal share of the cost of fine arts programs and projects approved in the State. Such standards shall provide equitably (and to the extent practicable, on the basis of objective criteria) for variations between programs and classes of programs, and between projects and classes of projects, on the basis of the economic and cultural status of areas, the relative need for additional programs and projects as between areas, and other relevant factors. No such standards shall provide for a Federal share of more than 50 per centum of the cost of any such program or project. The Secretary shall approve any such standards and any modifi-

cations thereof which comply with the purpose of this title and the purpose of this Act.

CONSTRUCTION PROJECTS

SEC. 204. For each project undertaken pursuant to a State plan to carry out the purpose of section 201 (2), there shall be submitted to the Secretary a special application by the State agency or by the political subdivision, institution, or organization undertaking the project. Such application shall set forth such information (including a description of the project and its plans and specifications in detail) and assurances as the Secretary may require. The Secretary shall approve such application if he determines that the project is feasible, desirable, and consistent with this Act, and if he determines, on the basis of consultation with the Council of Economic Advisers, that the project is consistent with the policy of the Employment Act of 1946 and the responsibility of the Federal Government thereunder in promoting maximum employment, production, and purchasing power; and no Federal funds shall be available for the project until the application has been so approved. No such application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

ALLOTMENTS TO STATES

SEC. 205. (a) Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment not to exceed $100,000 (as determined by the Secretary within the limits of available appropriations) to assist in defraying the cost of approved programs and projects in the fine arts within such State for that fiscal year. Such allotment shall be available, in accordance with this title, for payment of the Federal share of such cost.

(b) The Secretary shall calculate the allotments to be made under subsection (a) and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to a State for a fiscal year under this section and remaining unobligated at the end of such year shall be made available to such State for the same purposes for the next fiscal year (and for such year only, except in the case of sums allotted to carry out the purpose of section 201 (2)) in addition to the sums allotted to such State for such next fiscal year. Any amount of the sum appropriated pursuant to the authorization contained in section 202 for a fiscal year which is not allotted in such year by reason of the failure of any State or States

to have a plan approved under this title, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State under the preceding sentence, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized for such next fiscal year under section 202.

(c) For the purposes of this section, the term "Federal share" with respect to any program or project means the proportion of the cost of such program or project to be paid by the Federal Government, and shall be determined as follows:

(1) If the State plan in effect at the time of such program or project contains standards approved by the Secretary as provided in section 203 (d), the Federal share with respect to such program or project shall be determined by the State agency in accordance with such standards;

(2) If the State plan does not contain such standards, the Federal share shall be the amount, not more than 50 per centum of the cost of the program or project involved as established by the State agency, determined by the Secretary at the time he approves the State plan.

WITHHOLDING OF CERTIFICATION

SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds—

(1) that such agency is not complying substantially with the provisions of this title or the terms and conditions of its State plan approved under this title;

(2) that any funds paid to such agency under this title have been diverted from the purposes for which they were allotted or paid;

(3) that any assurance given in the State plan is not being or cannot be carried out; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under this title with respect to such State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

DEFINITIONS

SEC. 207. For the purposes of this title—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) The term "State" means a State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

ADMINISTRATION OF TITLE II

SEC. 208. (a) The Secretary is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title.

(b) In administering this title, the Secretary is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the executive department or agency furnishing them.

AWARDS OF MERIT

SEC. 209. The Secretary is authorized and directed to establish a number of annual awards of merit, including

cash prizes, to honor American citizens who make great contributions to the advancement of our civilization and our country in the fields of the arts, sciences, professions, sports, labor, business, and agriculture. Such awards of merit shall be given in annual ceremonies by the President to those chosen by the Secretary for such contributions. In making such awards, the Secretary shall give due consideration to recommendations submitted by the Federal departments and agencies, by State and local governments, and by public and private organizations and individuals.

FEDERAL ADVISORY COMMISSION ON THE ARTS

SEC. 210. (a) There is hereby created within the Department of Health, Education, and Welfare a Federal Advisory Commission on the Arts, which shall advise and consult with the Secretary in carrying out the provisions of this title. The Commission shall consist of nine members appointed by the Secretary, who shall give due consideration in making such appointments to recommendations submitted by the American Council on Education, the Council of State Governments, the General Federation of Women's Clubs, the American Library Association, the American Book Publishers Council, the National Trust for Historic Preservation, the National Congress of Parents and Teachers, the American Federation of Labor, the American Federation of Musicians,

the National Music Council, the National Federation of Music Clubs, the American Symphony Orchestra League, the Music Educators National Conference, the National Association of Schools of Music, the American Society of Composers, Authors, and Publishers, the American National Theater and Academy, the American Educational Theater Association, the National Theater Conference, the National Association of Community Theaters, the National Recreation Association, the American Recreation Society, the Community Chests and Councils of America, Incorporated, the National Social Welfare Assembly, the Motion Picture Association of America, Incorporated, the National Association of Radio and Television Broadcasters, the National Citizens Committee for Educational Television, the Committee on Government and Art, the American Institute of Architects, the American Federation of Arts, the College Art Association, the National Art Education Association, the National Institute of Arts and Letters, and other organizations in the field of the fine arts.

(b) The Federal Advisory Commission on the Arts shall advise generally upon questions of art when required to do so by the President, or by any committee of either House of Congress. The head of each Federal department and agency having a program or programs in any field of the

arts, and The United States Advisory Commission on Educational Exchange in the exercise of its functions under section 102 of this Act, shall call upon the Federal Advisory Commission on the Arts for advice and consultation in carrying out such program or programs.

84TH CONGRESS
1ST SESSION

H. R. 5040

A BILL

To establish a program of cultural interchange with foreign countries to meet the challenge of competitive coexistence with communism, to establish a Federal Advisory Commission to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, to provide awards of merit, and for other purposes.

By Mr. THOMPSON of New Jersey

MARCH 17, 1955
Referred to the Committee on Education and Labor

Union Calendar No. 177

84TH CONGRESS
1ST SESSION

H. J. RES. 207

[Report No. 618]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1955

Mr. MCCORMACK introduced the following joint resolution; which was referred to the Committee on Interior and Insular Affairs

MAY 24, 1955

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

JOINT RESOLUTION

To provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

Whereas there are located within the city of Boston and vicinity a number of historic properties, buildings, sites, and objects of the Colonial and Revolutionary period of American history which, because of their historical significance or their architectural merit, are of great importance to the Nation; and

Whereas at this critical period, as well as *at* all periods in our national life, the inspiration afforded by such prime examples of the American historical heritage and their interpretation is in the public interest; and

Whereas it is proper and desirable that the United States of

America should cooperate in a program looking to the preservation and public use of those historic properties that are intimately associated with American Colonial solidarity and the establishment of American independence: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a Commission is hereby created for the purpose of investigating the feasibility of establishing a coordinated program in which the Federal Government may cooperate with local and State governments and historical and patriotic societies for the preservation and appreciation by the public of the most important of the Colonial and Revolutionary properties in Boston and the general vicinity thereof which form outstanding examples of America's historical heritage.

SEC. 2. The Commission shall be known as the Boston National Historic Sites Commission, and shall be composed of seven individuals, who shall serve without compensation, to be appointed as follows: One Member of the United States Senate, to be appointed by the President of the Senate; one Member of the United States House of Representatives, to be appointed by the Speaker of the House; one member to be appointed by the Secretary of the Interior; and four persons, at least one of whom shall be a resident of the city of Boston, to be appointed by the President of the United States.

Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

SEC. 3. The Commission shall meet for the purpose of organizing within ninety days after the enactment of this Act. The Commission shall elect a chairman and executive secretary from among its members.

SEC. 4. The Commission shall (a) make an inventory and study of the historic objects, sites, buildings, and other historic properties of Boston and the general vicinity thereof, including comparative real estate costs; (b) prepare an analysis of the existing condition and state of care of such properties; (c) recommend such programs by *the* local, State, or ~~the~~ Federal ~~Government~~ *governments* and cooperating societies for the future preservation, public use, and appreciation of such properties as the Commission shall consider to be in the public interest; and (d) prepare a report containing basic factual information relating to the foregoing and the recommendations of the Commission thereon. Such report shall be transmitted to the Congress by the Secretary of the Interior within two years following the approval of this Act and the securing of appropriations for purposes hereof. Upon submission of the report to the Congress, the Commission shall cease to exist.

SEC. 5. (a) The Secretary of the Interior may appoint and fix the compensation, in accordance with the provisions of the civil-service laws and the Classification Act of ~~1923~~ *1949*, as amended, of such experts, advisers, and other employees, and may make such expenditures, including expenditures for actual travel and subsistence expense of members, employees, and witnesses (not exceeding $15 for subsistence expense for any one person for any one calendar day), for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of the functions, powers, and duties of the Commission under this Act. The Commission is authorized to utilize voluntary and uncompensated services for the purposes of this Act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, ~~including printing and binding,~~ to carry out the provisions of this Act, *including printing and binding.*

(b) The Commission shall have the same privilege of free transmission of official mail matter as is granted by law to officers of the United States Government.

Union Calendar No. 177

84TH CONGRESS
1ST SESSION

H. J. RES. 207

[Report No. 618]

JOINT RESOLUTION

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By Mr. McCORMACK

FEBRUARY 8, 1955

Referred to the Committee on Interior and Insular Affairs

MAY 24, 1955

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